

REMARKS

Claims 13-15 are presently pending, claims 1-12, having been cancelled, without prejudice or disclaimer, and new claims 14-15, having been added by this Preliminary Amendment.

New claims 13-15 correspond to Group II, claims 13, 15 and 17, in the Restriction Requirement mailed on January 17, 2001, in the parent application, application no. 08/961,851, of which this is a Divisional, claims 13, 15, and 17 having not been elected in the parent application.

Claim 11, which has been cancelled, without prejudice or disclaimer herein, was allowed in the parent application. Claims 1-8, which are being cancelled, without prejudice or disclaimer, were not elected in response to a Restriction Requirement in the parent application mailed on March 4, 1999, and Applicant expressly reserves the right to file a continuing application containing claims 1-8. Claim 9, which is being cancelled, without prejudice or disclaimer herein, was also cancelled, without prejudice, in the parent application, and Applicant also expressly reserves the right to file a continuing application containing claim 9. Finally, claims 10 and 12 were amended in the parent application to become new method claims and were withdrawn from consideration by the Examiner as being directed to a non-elected process by an Office Action in the parent application mailed on February 2, 2000. Claims 10 and 12 were subsequently cancelled, without prejudice or disclaimer, by a Preliminary Amendment filed in the parent application on October 23, 2000. Nevertheless, Applicant expressly reserves the right to file a continuing application containing claims 10 and 12 in the form in which they were

originally filed in the parent application or in the form of method claims, as they were subsequently amended.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

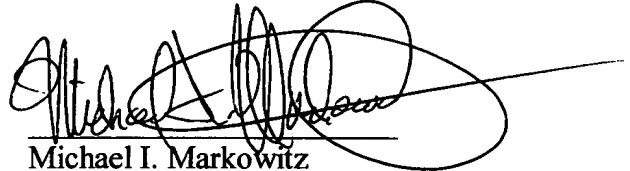
CLOSING

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that independent claim 14 is in condition for allowance, as well as those claims dependent therefrom. Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account 08-1634.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael I. Markowitz", written over a horizontal line.

Michael I. Markowitz
Reg. No. 30,659

HELFGOTT & KARAS, P.C.
EMPIRE STATE BUILDING
60TH FLOOR
NEW YORK, NEW YORK 10118
(212) 643-5000
DOCKET NO.:SOH 14.569A
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VERSION WITH MARKINGS TO SHOW CHANGES
MADE

IN THE CLAIMS

Claim 13 has been rewritten as follows:

13. (Once Amended) A semiconductor optical [device] waveguide as defined in claim [12,] 14, wherein said optical element is a semiconductor laser.

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